IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.17352 of 1999

Between:

Pennar Patterson Ltd.,

Rep. by its Vice-President, S.V.Ramachandra Rao,

S/o. S.Srivaram Das, R/o. Hyderabad,

Ofice at Plot No.38, Chikoti Gardens,
Begumpeta, Hyderabad. **..... PETITIONER**

AND

1 The District Consumer Forum

Rep. by it's President,
Srikakulam.

2 Mrs. G.Sobha, W/o. G.Mohana Rao,
R/o. 3-7-(1)-12(8), Kathera Street,
Srikakulam. **.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue Writ of Prohibition directing the 1st Respondent not to proceed with the complaint given by the
2nd Respondent in C.D.No.266/99 filed by the 2nd Respondent for recovery of certain amounts from the petitioner company with was adjudicated by competent authority i.e., Company Law Board, dt.02-03-1999 under Section 45 QA(2) of the Reserve Bank of India Act and for a consequential order directing the Respondent No.1 to drop all further proceeding by quashing the said C.D.No.266/99 pending on the file of the 1st Respondent.

Counsel for the Petitioner: MR.CH.DHANAMJAYA

Counsel for Respondent No.1: G.P. for Cooperation.

Counsel for Respondent No.2:

The Court made the following :

ORDER:(Per Hon'ble Sri Justice B. Sudershan Reddy)

Learned Counsel for the petitioner made available a copy of the order passed by the learned Company Judge in C.A. No.735 of 1999, dated 24-11-1999, whereunder the Company Court appointed Official Liquidator as a Provisional Liquidator in respect of the company in question for taking steps to recover the amounts payable to various creditors. It is stated that the Official Liquidator has already taken charge as Provisional Liquidator.

In such view of the matter, the writ petition filed by the petitioner represented by its Vice President cannot be allowed to prosecute any further.

For the aforesaid reasons, the Writ Petition fails and the same shall accordingly stand dismissed without any order as to costs.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

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K.C. BHANU, J

PV

To

1) The President, District Consumer Forum,
Srikakulam.

2) Two C.Cs. to G.P. for Cooperation,

High Court of A.P., Hyderabad.

3) Two C.Ds.